

AMENDED IN ASSEMBLY AUGUST 29, 2005

AMENDED IN ASSEMBLY JULY 6, 2005

AMENDED IN ASSEMBLY JUNE 9, 2005

AMENDED IN SENATE APRIL 12, 2005

SENATE BILL

No. 967

**Introduced by Senators Florez and Ashburn
(Principal coauthor: Senator Perata)**

February 22, 2005

An act to add Section 56328.5 to the Government Code, relating to local agency formation commissions.

LEGISLATIVE COUNSEL'S DIGEST

SB 967, as amended, Florez. Local agency formation.

Existing law sets forth the composition of and procedures for the selection of members of local agency formation commissions within each county. Under existing law, these commissions are composed of 5 members, 2 representing the county, 2 representing the city or cities within the county, and one representing the general public. These commissions are augmented by 2 members where the county orders representation of special districts upon the commission.

This bill would augment the commission in Kern County, which consists of 7 members, by the appointment of an 8th member, who shall be a member of the legislative body of the city in the county having the largest population and shall be appointed by the legislative body of that city and the appointment of a 9th member, who shall represent the general public and shall be appointed by the commission members appointed by the county board of supervisors and the independent special district selection committee. *By requiring an*

increase in the number of commission members in Kern County, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 56328.5 is added to the Government
2 Code, to read:
3 56328.5. (a) In Kern County, the commission, which consists
4 of seven members, augmented pursuant to Section 56332, shall
5 be additionally augmented by the appointment of an eighth
6 member and a ninth member.
7 (b) The eighth member shall, notwithstanding subdivision (b)
8 of Section 56325, be a member of the legislative body of the city
9 in the county having the largest population, appointed by the
10 legislative body of that city.
11 The legislative body of the city shall appoint an alternate
12 member at the same time and in the same manner as it appoints
13 the eighth regular member. If the regular city member is absent
14 from a commission meeting, or disqualifies himself or herself
15 from participating in a meeting, the alternate member may serve
16 and vote in place of the regular city member for that meeting. If
17 the office of the regular city member becomes vacant, the
18 alternate member may serve and vote in place of the former
19 regular city member until the appointment and qualification of a
20 regular city member to fill the vacancy.
21 (c) The ninth member shall represent the general public, but
22 shall not be a member of the governing body of any local agency.
23 The ninth member shall be appointed by the four members of the
24 commission appointed by the county supervisors and the
25 independent special district selection committee. Those
26 commission members may also appoint an alternate public
27 member, who is not a member of the governing body of any local

1 agency, who may serve and vote in the place of the regular public
2 member appointed pursuant to this subdivision if that regular
3 public member is absent or disqualifies himself or herself from
4 participating in a meeting of the commission. If the office of the
5 regular public member appointed pursuant to this subdivision
6 becomes vacant, the alternate member may serve and vote in
7 place of that former regular public member until the appointment
8 and qualification of a regular public member pursuant to this
9 subdivision to fill the vacancy.

10 *SEC. 2. No reimbursement is required by this act pursuant to*
11 *Section 6 of Article XIII B of the California Constitution because*
12 *a local agency or school district has the authority to levy service*
13 *charges, fees, or assessments sufficient to pay for the program or*
14 *level of service mandated by this act, within the meaning of*
15 *Section 17556 of the Government Code.*